

November 13, 2019

**Via Electronic Filing**

Chairman Comer H. “Randy” Randall  
The Public Service Commission of South Carolina  
101 Executive Drive, Suite 100  
Columbia, SC 29210

**Re: Duke Energy’s Response to The Proposed Order of Johnson Development Associates, Inc. and South Carolina Solar Business Alliance, Inc.**

Dear Chairman Randall:

On November 12, 2019, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (“Duke”) improperly filed a “Response and Continuing Objection to JDA/SCSBA’s” Proposed Order (“Response”). Johnson Development Associates, Inc. (“JDA”) and the South Carolina Solar Business Alliance, Inc. (“SCSBA”) formally object to this impermissible filing and request that the Commission disregard the contents.

The Public Service Commission of South Carolina (“Commission”) adopted the procedural schedule set forth *by Duke* and also set the deadline for the filing of Proposed Orders and Issues for Determination in Docket Nos. 2019-185-E and 2019-186-E as November 8, 2019. Duke and JDA/SCSBA filed respective Proposed Orders by that deadline. Consistent with Commission practice and procedure there was not a time afforded for response to Proposed Orders. Duke seeks to disrupt that practice and ignore the schedule which *they* proposed through the filing of their Response. JDA and SBA object to this Response.

Duke is aware or should be aware that there is no provision found in Commission Regulation or The South Carolina Rules of Civil Procedure to allow for the filing of their Response. This is evidenced by the fact that their filing is made without reference to any Regulation or Rule of Procedure.<sup>1</sup> The time for submission of such an argument would be in a Petition for

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<sup>1</sup> See generally the contents of their November 12, 2019, Response.

Chairman Comer H. "Randy" Randall  
November 13, 2019  
Page 2

Reconsideration or Rehearing should the Commission adopt JDA and SCSBA's proposals in its Order and if Duke disagrees with the Commission Order.

JDA and SCSBA dispute the arguments advanced by Duke in its Response, however JDA and SCSBA do not address the contents as to do so would give credibility to this impermissible filing. For the reasons stated above, JDA and SCSBA object to the Response made by Duke on November 12, 2019 in Docket Nos. 2019-185-E and 2019-186-E and ask that the Commission disregard the entirety of that Response as to do otherwise would be impermissible under the laws of this state.

Very best regards,

/s/ Weston Adams III  
Weston Adams, III

cc: All Parties of Record (via email and electronic filing)  
Hon. Jocelyn Boyd (via email)  
Joseph Melchers, Esq. (via email)  
Power Advisory LLC (via email)  
David Stark, Esq. (via email)  
Randall Dong, Esq. (via email)